

## INFORMATION ON THE PERSONAL DATA OF NATURAL PERSONS THAT ARE COLLECTED AND PROCESSED BY TEXIM BANK AD IN CONNECTION WITH THE SERVICES PROVIDED BY THE BANK

1. **TEXIM BANK AD** is a company registered in the Commercial Register of the Registry Agency with the Ministry of Justice under UIC 040534040, having a registered office and address of management at: 117 Todor Aleksandrov Blvd., Vazrazhdane Area, 1303 Sofia (the "Bank"). The Bank is a personal data controller within the meaning of Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) effective as of 25 May 2018, and pursuant to the national laws.

### 2. Contact Details of the Data Protection Officer:

Website: [www.teximbank.bg](http://www.teximbank.bg);

Email: DPO@teximbank.bg

### 3. Definitions within the meaning of the General Data Protection Regulation:

**"Personal data"** - any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person;

**"Special categories of personal data"** – personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation;

**"Processing"** - means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction;

**"Data subject"** – any living natural person who is subject to the data stored by the Controller;

**"Profiling"** - any form of automated processing of personal data consisting of the use of personal data to evaluate certain personal aspects relating to a natural person, in particular to analyse or predict aspects concerning that natural person's performance at work, economic situation, health, personal preferences, interests, reliability, behaviour, location or movements;

**"Personal data breach"** - a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed;

**"Recipient"** - a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not. However, public authorities which may receive personal data in the framework of a particular inquiry in accordance with Union or Member State law shall not be regarded as recipients; the processing of those data by those public authorities shall be in compliance with the applicable data protection rules according to the purposes of the processing;

4. With regards to its basic scope of business the Bank collects and processes personal data of the following data subjects: natural persons, including representatives of legal persons or other legal entities

that are users of payment services, investment services, recipients of bank funding, co-debtors, guarantors, authorized persons and beneficial owners.

## **5. The Bank processes the collected personal data for the following purposes:**

5.1. provision of payment services initiated by the data subject;

5.2. exercise and performance of statutory and/or contractual rights and obligations of the Bank under contracts to which the data subject is a party, or where the data subject initiates proceeding to pre-contractual relations; where the Bank provides funding, data is collected for the purpose of creditworthiness assessment of the applicant, the co-debtors and the guarantors, whereby the assessment includes check-ups at data bases kept by third parties – the National Social Security Institute, the Central Credit Register, the Registry Agency, etc.; when providing bank funding data is processed for the purpose of assessment and analysis of securities, the establishment and maintenance of their validity, whereby the assessment and analysis include check-ups at data bases kept by third parties – the Registry Agency, the Geodesy, Cartography and Cadastre Agency, the National Construction Supervision Directorate, as well as the signing, management and implementation of property insurance on the approved security;

5.3. in performing of legal obligations of the Bank;

5.4. in pursuing legitimate interests of the Bank that reasonably override the interests of the data subject;

5.5. in the direct marketing of products and services offered by the Bank;

5.6. in the automatic exchange of financial information under Chapter XVI, Section IIIa of the Tax-Insurance Procedure Code and in carrying out due diligences under the Tax-Insurance Procedure Code.

The Bank processes personal data of data subjects solely for the purposes for which the data were collected, unless it is reasonably assumed that the data need to be processed for another purpose that is compatible with the purpose of initial collection. In case personal data have to be processed for other purposes that are incompatible with the purpose of initial collection, the Bank shall inform thereof the data subject concerned.

## **6. Categories of personal data that are collected and processed by the Bank:**

6.1. names, identification numbers, date and place of birth, nationality, copies of the identity documents;

6.2. demographic characteristics: sex, age, permanent and current residence;

6.3. contact details: addresses, fixed/mobile phone numbers, emails;

6.4. tax and social security details;

6.5. data on employers, place of work, position/occupation;

6.6. data on physical identity: facial images, voice, handwriting features;

6.7. data on economic and property status, including data contained in datasets of third persons – such as the National Social Security Institute, the National Revenue Agency, the Central Credit Register, the Central Register of Debtors, etc., as well as public registers;

6.8. data on marital status – marital status, related persons in case of bank funding;

7. Depending on the purpose of personal data processing, the legal grounds therefor may differ, or there may be more than one ground, but, in any case, the Bank processes personal data of data subjects in a lawful and transparent manner:

7.1. contractual and/or pre-contractual relations;

- 7.2. a legitimate interest of the Bank that reasonably overrides the interests of the data subject;
- 7.3. fulfilment of a legal obligation of the Bank;
- 7.4. consent of the data subject;

**8. The personal data that are collected and processed by the Bank may be transferred to the following data recipients:**

- 8.1. persons with whom that the Bank has entered into contracts for the supply of products or services;
- 8.2. credit intermediaries that the Bank has entered into contracts with;
- 8.3. persons assigned by the Bank to produce plastic bank cards;
- 8.4. persons assigned to deliver, including through SMS texting, written correspondence, cards or information materials;
- 8.5. correspondent banks;
- 8.6. persons assigned by the Bank to collect its claims, including call centres;
- 8.7. persons to whom the Bank offers to sell its claims;
- 8.8. persons assigned by the Bank to serve notifications, including notifications on early claims for repayment of loans or other types of bank funding;
- 8.9. authorities, bodies and other persons that the Bank is legally obligated to provide with personal data;
- 8.10. persons commissioned by the Bank to assess securities;
- 8.11. insurers with which the Bank has entered into insurance agency contracts;
- 8.12. persons with whom the Bank has entered into partnership agreements for provision of point of sale loans to data subjects.

**9. Retention period for the personal data collected by the Bank:**

- 9.1. (amended 23 September 2021) where data are provided and processed based on a contract – for 5 years as of the termination of contractual relations, unless a longer storage period is required due to the Bank's legitimate interest;
- 9.2. where data are processed based on pre-contractual relations but no contract for provision of a product or a service exists – for 3 years;
- 9.3. where data are processed based on consent – until withdrawal of consent, in the absence of any other legal ground for processing. Withdrawal of consent shall not affect the lawfulness of personal data processing theretofore;
- 9.4. where personal data are processed in the pursuit of rights and interests of the Bank that reasonably override the interests of the natural persons – until the extinction of such rights and/or the disappearance of such interests.

Upon the expiry of the given periods, unless any other legal ground for the processing of personal data exists, the data shall be deleted. For the purpose of information analysis with regards to products and services used and with a view to service improvement, the Bank may delete part of the data, whereby the data retained shall not allow the subsequent identification of the persons.

## **10. Rights of Data Subjects**

10.1. The data subject shall have the right to obtain from the Bank a confirmation as to whether or not personal data concerning him or her are being processed, and, where that is the case, access to the personal data and a copy thereof.

10.2. The data subject shall have the right to obtain from the Bank rectification of any inaccurate personal data concerning him or her.

10.3. The data subject shall have the right to obtain from the Bank erasure of personal data concerning him or her - the "right to be forgotten", and the Bank shall have the obligation to erase personal data where one of the following grounds applies:

10.3.1. the personal data are no longer necessary in relation to the purposes for which they were collected;

10.3.2. the data subject withdraws consent on which the processing is based and where there is no other legal ground for the processing;

10.3.3. the data subject shall have the right object to processing carried out for the purposes of a legitimate interest of the controller or a third party, including profiling, and there are no legitimate overriding grounds for the processing, or the data subject shall have the right to object to data being processed for specific type of direct marketing, entailing, among others, profiling;

10.3.4. personal data were processed unlawfully;

10.3.5. personal data shall be erased for compliance with a legal obligation under Union or Member State law to which the controller is a subject;

10.4. The data subject shall have the right to obtain from the Bank restriction of processing where one of the following applies:

10.4.1. the accuracy of the personal data is contested by the data subject, for a period enabling the controller to verify the accuracy of the personal data;

10.4.2. the processing is unlawful and the data subject opposes the erasure of the personal data and requests the restriction of their use instead;

10.4.3. the controller no longer needs the personal data for the purposes of the processing, but they are required by the data subject for the establishment, exercise or defence of legal claims;

10.4.4. the data subject has objected to processing pending the verification whether the legitimate grounds of the controller override those of the data subject.

Where processing has been restricted under item 10.4, such personal data shall, with the exception of storage, only be processed with the data subject's consent or for the establishment, exercise or defence of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest of the Union or of a Member State.

10.5. The data subject shall have the right to transmit data to another controller under the terms and conditions of the applicable laws and provided that the technical means therefor exist.

10.6. The data subject shall have the right to object to processing of personal data concerning him or her when processing is carried out for the legitimate interest of the Bank or a third party, unless these interests are overridden by the interests or rights and freedoms of the data subject that seeks personal data protection, especially if the data subject is a child.

10.7. The data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her, unless the processing at issue is necessary for entering into, or performance of, a contract between the data subject and a data controller, or is authorized by the applicable law which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests; or is based on the data subject's explicit consent.

11. The data subject may exercise their rights under item 10 with a written request submitted either to

a) an office of the Bank, or to

b) DPO@teximbank.bg,

whereby the rights under item 10.1 to item 10.4, inclusive, may also be exercised through the Commission for Personal Data Protection.

12. The Bank shall provide the information requested under item 10.1, shall rectify or complete the data under item 10.2, shall erase data under item 10.3, shall limit the processing under item 10.4 without undue delay and at the latest within one month of receipt of the request, or shall within the same period inform the data subject and give reasons where the Bank does not intend to comply.

13. The data subject shall have the right to lodge a complaint with the Commission for Personal Data Protection that is a permanent supervisory authority in charge of protecting individuals in the processing of their personal data and in accessing these data.

Address: 2 Prof. Tsvetan Lazarov Street, 1592 Sofia

Information and Contact Centre: tel. 02/91-53-518

Email: kzld@cpdp.bg

Website: [www.cdpd.bg](http://www.cdpd.bg)

14. The personal data collected and processed by the Bank are needed with regards to the activities mentioned on the licence issued thereto by the Bulgarian National Bank. Non-provision of personal data is a hindrance to signing and performing contracts and to provision of products and/or services. Where business relations with the Bank exist, the provision of personal data is a contractual and/or legal obligation. In these cases, failure to provide personal data may result in contract termination and, respectively, in termination of business relations.

Where personal data are collected and processed based on the consent of the data subject, the consequences of failure to provide them shall be described in the consent form itself or separately prior to obtaining consent.

This information on personal data processed by Texim Bank AD is available at the official website of the Bank and in any of its offices.

This information has been approved by the Management Board of the Bank by virtue of Minutes No. 26/17 May 2018 and amended by: Minutes of Meeting of the Management Board of TEXIM BANK AD No. 56 of 23 September 2021.

I, the undersigned ....., hereby declare that the foregoing information was presented to me, that I am aware of its contents and understand the implications thereof.

Date .....

Signature: .....